

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RONALD CLARK,

Petitioner,

CIVIL ACTION NO. 10-3164

V.

JOHN E. WETZEL, Commissioner,
Pennsylvania Department of Corrections;
LOUIS B. FOLINO, Superintendent of the
State Correctional Institution at Greene; and
MARIROSA LAMAS, Superintendent of
the State Correctional Institution at
Rockview,

Respondents.

ORDER

AND NOW, this 25th day of September, 2023, after considering the Motion for Fed. R. Civ. P. Rule 60(b)(6) Relief (Doc. No. 81) and “Motion for a Commonwealth Answer to His August 1, 2023 Rule 60(b)(6) Motion and Request for Discovery” (Doc. No. 82) filed by the *pro se* movant, Ronald Clark; and after considering the overall record in this habeas matter; and for the reasons set forth in the separately filed memorandum opinion, it is hereby **ORDERED** as follows:

1. The motion for relief under Federal Rule of Civil Procedure 60(b)(6) (Doc. No. 81), which this court has concluded is actually a second or successive petition for a writ of habeas corpus under 28 U.S.C. § 2254, is **DISMISSED**;

2. The “Motion for a Commonwealth Answer to His August 1, 2023 Rule 60(b)(6) Motion and Request for Discovery” (Doc. No. 82) is **DENIED AS MOOT**; and

3. A certificate of appealability **SHALL NOT** issue.

BY THE COURT:

/s/ Edward G. Smith
EDWARD G. SMITH, J.